Exposure diversity as a new cultural policy objective in the digital age

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I - Introduction

Diversity has been conceptualized as a key objective of national and international cultural policies (Burri 2010). The 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions adopted under the auspices of the United Nations Educational Scientific and Cultural Organization (UNESCO) is a clear proof of this. The UNESCO Convention is a culmination of the efforts of the international community to secure regulatory space for domestic policy-makers in the field of culture, on the one hand. On the other hand, it goes beyond this and the inherent trade versus culture, international versus national contestations, and tries to promote diversity as a matter of global law and policy. Cultural diversity, much in contrast to the previous political slogan of "cultural exception", has a positive connotation and the potential to inspire a broad agenda (Craufurd Smith 2007; Burri 2010a, 2014).

While the UNESCO Convention as a treaty basis can be deemed to be technologically neutral, the primary focus of its implementation has been placed upon analogue means of communication (Burri 2014). This flaw is natural rather than triggered by political economy contexts, and has to do with the conventional evolution of law and its tendency to lag behind technological advances (Gervais 2010). Indeed, this "error" flows from the similar "errors" made at the national level in formulating and implementing cultural policy toolkits for the protection and promotion of cultural diversity (Attentional et al. 2011; Burri 2007, 2013). This chapter argues that a peculiar characteristic of all these policies has been the almost exclusive concentration on the *diversity of supply* – that is, on the availability of diverse formats, outlets, media owners, etc. The chapter casts some doubt upon both the viability, as well as the efficiency of such policies in the digital age. It questions the underlying presumption for a causal link between source diversity, diversity of content, and the actual *consumed* diverse content.

Yet, it should be underscored that the present chapter is not intended to plainly criticize past and existing policies. It is rather meant to serve as a forward-looking analysis of the possibilities offered by digital technologies and how these can be best utilized to ensure exposure diversity – that is, a palette of diverse content, as actually consumed by users.

The chapter argues that although the balance between state intervention and non-intervention in the digital media certainly is precarious and individual

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rights are to be safeguarded (Valcke 2011), there may be subtle ways of intervening and promoting exposure diversity.

The chapter does not question that cultural diversity is an objective worth pursuing and assumes that this has not changed in the digital age. It works however towards disintegrating this objective (so as to include exposure diversity), which may permit for a more careful calibration of the applied cultural policy tools. The chapter's particular weight is placed on the domain of audiovisual media. This focus is justified, because audiovisual media have been both the main target of diversity policies domestically (Footer and Graber 2000), as well as the main battlefield in external trade policies – as early as the 1947 General Agreement on Tariffs and Trade (GATT) and in particular during the Uruguay Round of negotiations (Trumpbour 2007; Singh 2008).

The chapter starts with a brief introduction to some of the defining features of the new digital environment and the differences of this space when compared to analogue media. The chapter argues that against this backdrop of differently unfolding information and communicative processes, it makes sense for cultural policy-makers to define exposure diversity as a discrete target – above all, because of the broken causal link between source and content diversity and diversity in consumption, and because of the perils of intermediated communication that prevails online. Finally, the chapter outlines some proposals that may help address these challenges and design appropriate tools that cater for a vibrant and culturally diverse environment.

II - Diversity in the digital media space: presumptions and reality

The transformations in the digital environment epitomized by the advent and wide spread of the Internet have been multi-faceted. Over the years, their effects have been captured, albeit not without contention, by a host of excellent studies (e.g. Benkler 2006; Sunstein 2007). It is not this chapter's purpose to describe or measure the quantitative and qualitative dimensions of these transformations (Cave et al. 2009; Bilbao-Osorio et al. 2013). It focuses rather on those specific developments that may be critical for pursuing cultural diversity objectives in this new space. In this sense, we are particularly interested in the changed ways content is produced, distributed, accessed, consumed and reused in the digital space.

To understand these changes, we start with the macro-picture, where key transformative trends are highlighted. Then we try to present a few, more granular, micro-snapshots that capture the complex developments, which may sometimes go against commonly accepted suppositions.

A - Macro trends

As broader lines of change, one can identify the following features of the new media space:

(a) unlimited "shelf-space" and abundant content. In the digital space, the notion of scarcity has been starkly modified. Blogs, social networking sites, virtual worlds and other forms of information and communication made

available over the Internet have proliferated. They have turned into viable media outlets, co-existing next to traditional ones, offering a new way of accessing information and/or entirely new information. The sheer amount of information that is available at all times from any point connected to the Internet is simply staggering. There is indeed scarcity of attention.

What is also worth noting is the different way information is organized in the digital space. The fact that any type of data can be expressed in digital format has completely changed the rules for *organizing* information (Weinberger 2007). In contrast to conventional cataloguing methods, such as the Dewey decimal system for organizing libraries, the digital environment enables an encompassing, dynamic and interlinked information archive that can be searched through a single entry point according to unlimited criteria.

(b) new ways of distributing, accessing and consuming content. Enabled through multiple devices over the almost ubiquitous Internet, the patterns of handling information have changed. Instantaneous distribution to millions of people, pulling content instead of passively receiving it, simultaneous consumption from many sources are but few of the (TV-unlike) features of contemporary online communication. These naturally have serious repercussions for users, businesses and for the entire market of information goods and services. They have also changed the transparency of cultural symbols and the ways they circulate in global and local contexts (Benkler 2006).

(c) new modes of content production. Reduced thresholds to participation, as well as the (ever greater) affordances of digital technologies, have allowed individuals and groups of individuals to create new content, to play around and remix existing content (Benkler 2006; Jenkins 2008). This type of creativity, interactivity and co-operation is unique to digital media and is a radical departure from the conventional image of massive and passive audiences.

B - Micro developments

While the above transformations have been thematized in the literature and seem to reflect the broader trends, they *may* mask some of the more complex developments in media access and consumption. To offer a more cautious look, we examine three of the commonly shared narratives about the effects of digital technologies, namely: (1) the abundance and (2) diversity of content, as well as (3) the lack of intermediaries.

1. Abundance

We often talk of *abundance* of content as a matter of fact in the digital space. As earlier noted, if one looks at the numbers, such as the size of the web,[1] or the availability of data online, not only is abundance there but it is truly mind-boggling. In a converged world (European Commission 2013), we should also not single out online platforms, nor should we single out

[1] On 12 February 2016, the number of indexed web pages was 4.84 billion, http://www.worldwidewebsize.com/ (accessed 12 February 2016).

audiovisual media, since traditional print media (such as newspapers) or new players (such as digital games and virtual world providers) have become active in visual content too and users often treat these information sources as interchangeable (Horlings et al. 2005; Pew Research 2014). This ultimately makes the number of content items higher and the variety greater, as the conventional wisdom would have it.

Despite this astounding abundance of content, it can be that accessing it in practice is not that easy (e.g. Burri 2012). Indeed, limitations of legal and practical nature abound, especially as the digital networked environment matures. The barriers can be various and range from technical standards and other obstacles to interoperability to intellectual property rights enforced in opaque manner through digital rights management systems, or other forms of control through code and technology in general (Lessig 1999, 2006; Zittrain 2008; Brown and Marsden 2013). Filtering is the preeminent example of restricted access to information but far from being the only one. As Verhulst points out in this context, new technologies have introduced new types of scarcity as the control over information changes from old to new intermediaries that may control the flow of, and access to, information, from multiple and increasing points of entry (Verhulst 2007), as we show below.

2. Diversity

As corollary to abundance, the *diversity* of the content online is also commonly taken as given. Two widespread theories, both grounded in traits of the new digital environment, underpin such statements. The first, so-called "long tail" theory, preaches naturally generated diversity, as the reduced barriers to entry allow new market players to position themselves and make use of niche markets, which are economically viable in the digital ecosystem due to the dramatically falling storage and distribution costs (Anderson 2006). The Internet has also allowed for a dramatic reduction in the costs of searching. On the one hand, this means the time invested in search; on the other, its efficiency (Brynjolfsson et al. 2011). The Internet, as earlier noted, is a non-linear network that allows searching through a single point of entry. Search engines help us locate content within the huge volume of dynamic information, turning into "linchpins of the Internet" (Grimmelman 2007: 3; Weinberger 2007). The availability of new facilitators, such as tagging, samples, feedback and recommendations, enables users to find the desired products and even discover new ones (Brynjolfsson et al. 2006). Advanced tools, such as *Amazon* customer reviews, based upon collective intelligence (Surowiecki 2003), have emerged as new orientation institutions creating effective data filters.

In the digital space, it is also true that content remains accessible and usable long after its traditional "one-off" viewing at cinemas or on TV. "Pulling" content individually from a virtually unlimited selection may in effect change the *value* attached to cultural content. The popularity of documentaries or original series on *Netflix* may be a proof in this regard.

In a sense, the "long tail" theory promised corrections to many of the market failures of traditional media markets defined by scarcity, high entry barriers and economies of scale and scope. It suggested a new type of distribution of

content, as supply and demand meet not only for "mainstream" products available in the "head" of the snake, but also for many other products, now available in the ever lengthening "tail" (Anderson 2006: 26). Critically for our debate, all of these put in doubt the adequacy of current models of state intervention in media markets (Burri 2012).

Another important challenge to existing regulatory templates comes from the phenomenon of user created content (UCC). UCC has been conceived as a powerful tool of democratization of content production and distribution, enabled by the increased broadband penetration, the falling prices and the almost ubiquitous availability of connected devices (Benkler 2006). UCC can be said to bear the key components of diversity, localism and non-commercialism (Goodman 2004), and in this sense could readily fulfil public interest objectives without additional intervention. Further, it has been argued that the Internet-facilitated communication without intermediaries or other substantial access barriers has already created the aspired to vibrant "marketplace of ideas" (Lessig 2006: 245).

Miel and Farris (2008: 4) offer a snapshot of this highly optimistic vision: "Vigorous debate – now open to all – allows unprecedented levels of participation. Errors and lies by politicians, corporations, and irresponsible media are corrected quickly by the scrutiny of the crowd. Authentic stories about the lives of real people are part of a richer, more human information space. Easy and cheap multimedia production and remixing tools bring fresh new voices to light. The Internet connects us to people and ideas from around the world that we would never have encountered in the past".

Undoubtedly, the appeal of these transformative theories is great, and only rightly so mobilized in the debates for reforming cultural policies for the media. Yet, the evidence of current practices seems much more nuanced.

As for the "long tail", it appears unclear, at least so far, whether an environment of unprecedented choice and sophisticated tools for accessing content helps or hurts the prospects for content that has not traditionally resided in the "head" (Napoli 2012). One of the inherent characteristics of the new "attention economy" is the granular level of competition for audience, so that as online platforms offer the possibility to track the popularity of individual pieces of information and entertainment, editorial decisions may be distorted in favour of topics and genres that have mass appeal (Miel and Farris 2008: 33). Also, as global legacy media and Internet corporations merge in the pursuit of better utilization of all available channels and platforms, diversity may in fact be lost. The question of real consumption, that is particularly interesting to us, is also vexed, as we show below.

The positivism for user creativity is still strong. However, we have seen so far few changes in law and in practice that seek to reflect the new creative processes and effectively accommodate UCC forms. The current copyright regime is author-centric and often insufficiently flexible (e.g. Burri 2011). Moreover, and more relevantly to our discussion, it is still disputed how real this grassroots content production is and how it impacts on cultural discourses. Sceptic voices stress the dangers of discourse fragmentation

(Sunstein 2001, 2007; Pariser 2011). For instance, while early analyses of the blogosphere have applauded the low threshold of participation and incredible possibilities of free speech, recent accounts are less exalting and indeed disquieting. Cammaerts (2008: 363) suggests for instance that the blogosphere has been colonized by the market, with an "ever more increasing commodification of content and by concentration trends leading to the creation of oligopolies". Censorship by states, organizations and industries proliferates and many spaces become appropriated by political and cultural elites, which are naturally better positioned in terms of capabilities and finance for speedy and forceful mobilization (Cammaerts 2008: 366–368; Hoofd 2011). At the individual level, such negative processes unfold due to social control by citizens, intimidation by other bloggers and communities, as well as due to concentrated antidemocratic voices that question fundamental societal values (Cammaerts 2008: 369–371). These perils are well reflected in the context of intermediaries too, as we show next.

3. Intermediaries

Another myth of cyberspace, which demands a closer look and is of particular importance to our debate, is that *intermediaries do not exist* and one can freely choose any content at any time. As contemporary digital media practice shows, this myth does not reflect reality. In fact, intermediaries with different types of control on the choices we *make* and on the possibility for choices we *see* abound. We focus here in particular on those gatekeepers existing at the application and the content levels – what Helberger calls "choice intermediaries" (Helberger 2011, 2011a), or Miel and Farris, the "new editors" (Miel and Farris 2008: 27).

Conventionally in the offline/analogue world, editorial roles were concentrated under the roof of a single institution. Editorial choices were based on a certain, limited, pool of materials, which were in a way "property" of the media institution. Editorial products were finite, bounded by the limitations inherent of each medium, such as the pages of a printed newspaper or the length of a broadcast. The targeted audience was also typically addressed in a certain rhythm, which had an influence on the breadth and depth of the content – e.g. daily newspapers, a weekly edition or a one-off reportage. The format reached the entire audience of any given publication or programme in the same way.

The picture is decidedly different now, as these analogue limitations have been removed and have triggered major changes in the composition and consumption of media products (Miel and Farris 2008). The new editors are multiple and distributed, and they seem to be both enhancing and limiting diverse consumption. Miel and Farris (2008; also Latzer et al. 2016) offer a helpful taxonomy of the new editorial institutions. Some of them are truly web-native; others come as an addition to conventional media practices.

(i) *Aggregation*, which is the process of assembling different types of content in a tailored fashion and constantly updating it, belongs to the former group. This sort of personalized editor is offered on different platforms, for different types of content – be it news, entertainment, or gossip. It automatically generates information tailored to a particular user profile

and/or previous experience in a seemingly seamless manner. The information used is commonly produced elsewhere. So, the big three news aggregators (Yahoo!, AOL and Google) all rely on legacy media, such as the Associated Press (AP), for the bulk of their content (Miel and Farris 2008: 28). This may disperse some of the conventional criticism that aggregators amplify the impact of unreliable non-traditional sources (Keen 2007); on the other hand, it becomes evident that content is not made more abundant but has merely become more distributed. The ultimate consumption appears limited to a handful of mainstream online sources that are, as a rule, professionally produced by white, educated men (Hindman 2009).

(ii) *Search* is nowadays absolutely essential (Grimmelman 2014). It is presently the starting point for most online experiences and is the most significant driver of online traffic (Ofcom 2008). Without being indexed and searchable on the net, content is plainly rendered non-existent (Introna and Nissenbaum 2000). The search business is also highly concentrated with very few providers, and with Google distancing itself clearly from its competitors (Travis 2009). Generally speaking, it is in the long-term interest of search providers to meet the needs of their users – both as consumers and as citizens. This said, it should be stressed that search results are generated algorithmically and automatically assign relevance to certain information units. Automated selection is prone to manipulation using a range of search engine optimization techniques (Ofcom 2008).

(iii) *Social bookmarking* is increasingly important as a mechanism of giving prominence to content. Here the crowd acts like an editor through different ranking and bookmarking systems, such as Reddit, Technorati or Del.icio.us. As part of the social media phenomenon, these mechanisms not only tailor media consumption but also succeed in commanding the attention of large groups (Miel and Farris 2008: 30). Naturally, the marketing industry has swiftly learnt to incorporate these tools and utilize them for mobilizing consumer attention.

Overall, through all these different mechanisms the network functions as a multi-channel editor. On the positive side, it may be justified to view "the networked media environment as a virtual social mind that produces something richer, more representative, and more open to ideas than the top-down mass media model of the past" (Miel and Farris 2008: 30). On the other hand, this positivism may be deeply flawed. Often are also the workings of the system somewhat haphazard – the trajectory from online obscurity to prominence remains poorly understood, as there are simply too many variables.[2]

Thinking about the societal, especially cultural, functions of the media in the context of our discussion, it could be that this complex environment presents certain dangers of reduced exposure diversity and discourse fragmentation (Sunstein 2001, 2007).

[2] See e.g. 'Alex From Target: The Other Side of Fame', *The New York Times*, 12 November 2014.

First, we need to acknowledge the possible interferences with users' individual autonomy and freedom of choice. As Latzer et al. (2016) argue, while filtering reduces search and information costs and facilitates social orientation, it can be "compromised by the production of social risks, among other things, threats to basic rights and liberties as well as impacts on the mediation of realities and people's future development". In this sense, user autonomy in the new informational space becomes heavily dependent on media literacy (High Level Group on Media Freedom and Pluralism 2013).

The second worry in this context has to do with the impact of tailored media production and consumption. In the former sense, there is a recent trend towards automatized content production, where algorithms drive decision-making in media organizations by predicting audiences' consumption patterns and preferences (Napoli 2014; Saurwein et al. 2015). While in some areas this may be viewed as beneficial in giving the audiences what they want, in other areas, such as for news, this may be highly problematic, as news and current affairs become tailored to the demographic, social and political variables of specific communities. Napoli (2014) thematizes also the so-called "content farms", which based on data, such as popular search terms; ad word sales and the actual available content, produce content rapidly and cheaply in order to meet that demand. "The output then represents a prediction of the type of content for which there is the highest unmet audience and advertiser demand" (Napoli 2014: 35). The creation of content is completely commodified and possibly harmful to any public interest function of the media we can think of.

In the second sense, the personalization of the media diet, as based on a distinct profile or previous experience, "promotes content that is geographically close as well as socially and conceptually familiar" (Hoffman et al. 2015: 1365). Hoffman et al. (2015) argue that social media only exacerbate this effect by combining two dimensions of "homophily": similarity of peers and of content. This may not be particularly conducive for taking informed and balanced decisions – either individually or as a group (Sunstein 2006). While these situations have been differently labelled – "cyber-ghettos" (Dahlgren 2005), "filter bubbles" (Pariser 2011), "echo-chambers" (Sunstein 2001) – they all point to a fragmentation of the public discourse and possible polarization of views.

C - Intermediate conclusions

The above section sought to underline the breadth and depth of the transformations that digital technologies have brought about in the last two decades, as well as the complexity and the related uncertainty as to their societal impact. In particular with regard to the fundamental cultural policy objective of diversity and the overall conditions of free speech in the digital media space, there are a number of ambiguities. On the one hand, the possibilities to create, distribute, access and consume content seem unprecedented – we can hardly compare with the offline/analogue world of the television, the newspaper and the magazine. On the other hand, as we showed with regard to the underlying assumptions of abundance, diversity and communication without intermediaries, things are not straightforward.

Indeed, we ventured that in many senses diversity, and in particular exposure diversity, may be reduced. Although we cannot as yet be definitive in this supposition, since we seem to still know far too little about how people combine offline and online sources, how the changes in the delivery and consumption of the media are actually affecting their public awareness, opinion building and civic engagement, and how these changes relate to different generations (Miel and Farris 2008; Webster and Ksiazek 2012), we can nonetheless acknowledge two important things.

The first puts in serious doubt the causal link between source and content diversity and the actual consumed diversity. What appeared at least somewhat plausible under the conditions of analogue media where the sources were few, it is now, under the conditions of digital media, extremely hard to believe. Closely related to this doubt is the question about the adequacy of the presently applied cultural policy tools, which, almost exclusively target source and content diversity. In the following section, we explore some alternative instruments.

III - Towards diversity in consumption

How to react to the above sketched new media environment and design apt state intervention that ensures diversity, in particular diversity in consumption?

Thinking of those specific situations where access to content may be hindered or made difficult, one could suggest a number of basic framework conditions that can improve the chances of diversity of exposure, such as lower and equal threshold for access to content; increased interoperability between networks, devices, and applications; non-discrimination between different types of content and applications; enhanced transparency as to default settings and terms of service with regard to privacy; more legal certainty with regard to the grey zones of copyright law and practice. The list of such conditions is lengthy and demands the attention of policy-makers, because even in seemingly technical situations, essential rights and values, such as freedom of expression, equality of opportunity and justice are affected (e.g. Zittrain 2008), as the network neutrality debate has clearly proven.[3]

In the following, we focus on some tools that target more deliberately exposure diversity in the media.

A - Updating existing tools

Despite the fact that exposure diversity has never been explicitly formulated as a cultural policy objective (Helberger 2012), there have been a number of ways, also formulated as a matter of law, that sought to ensure that (national) audiences have exposure to certain content. An important function in this

[3] The neutrality principle has been intrinsic to the Internet architecture. It holds in essence that the network should be neutral to the content being passed (e.g. Wu 2003).

regard has been assigned to the Public Service Broadcasters (PSBs), which in the European tradition,[4] are large media organizations, such as the original model of the British Broadcasting Corporation (BBC), often funded by taxes or through dual funding schemes including income from advertising.

It is fair to note that at least at the outset of public service broadcasting (PSB), when the incumbents enjoyed a state of monopoly, its paternalistic function was clearly evident – PSBs had to provide the audience with a well-mixed diet of news, entertainment and educational programmes and cater for their "enlightenment" (Coase 1950: 65). Next to this large project of PSB, which was supposed to provide the audience with steady flows of "good" content that is innovative, challenging, original and of high-quality, there have been subtler ways to ensure that the users get more easily access to such content.

For instance, PSBs in Europe have had the privilege to occupy the first slots in electronic programme guides (EPGs) and have been given so "due prominence". Foster and Broughton (2012: 12) show that EPGs have been an important tool for consumers finding and selecting programmes and there is evidence that channels with slots near the top of each section of an EPG have had an advantage in viewers' selection over those further down. Yet, although television is still the primary content medium, this is likely to change, and is already now doubtful for younger people. The value of EPGs as a tool for enhancing the prominence of specific content is bound to be reduced, and there is a need for adjustment (Foster and Broughton 2012: 19).

One can first think of an "updated" variation of the EPG. Foster and Broughton see this as a two-step process of "nudging", whereby viewers are attracted to the PSB channel or brand and then a range of techniques are used to "lead audiences to a wider range of content than they might otherwise have chosen for themselves" (Foster and Broughton 2012: 11). The authors have justified the need of a new legislation (in the UK but also subsequently at the EU level) that will ensure prominence of PSB brands or individual service brands on online platforms.

Such an arrangement may have its benefits and address future developments in the digital media space, where access to globally-produced (mostly US) productions is the core proposition of many new content packagers, and new on-demand brands focused on specific demographics or genres (such as Netflix) may crowd-out the mixed genre, general interest PSB brands (Foster and Broughton 2012: 21–22). This "due prominence" approach may also receive more weight in the EU, as it is now in the process of reviewing the Audiovisual Media Service Directive (AVMS) as part of the new and far-reaching Single Digital Market Strategy (European Commission 2015). From the latest consultation of EU regulatory authorities, there appears to be

[4] The US model has evolved differently and PSBs play a less prominent role in media exposure and have a more distributed public interest function, often catering for the underserved, minorities and the poor. The European model tends to align media with cultural policy, whereas US model has been aligned with telecommunications policy and focused on ownership and access issues (van Cuilenburg and McQuail 2003).

support for "prominence" tools as form of implementation of the duty for the Member States to "promote, where practicable and by appropriate means, production of and access to European works".[5] This approach, which may involve advertising inserts, separate tabs, or adequate identification of European works (European Commission 2012; European Audiovisual Observatory 2014), seems to be favoured as the most efficient – also because it relates to actual higher consumption of European works and is the least burdensome for operators (European Commission 2014).

B - New and newly targeted action

Thinking beyond existing models of intervention, policy-makers can explore other types of action. One cluster of such actions is more defensive and relates to the activities of PSBs. The other is more proactive and involves other media players too. In the first category, policy-makers can strive to highlight specific cultural content by providing "information about information", which can effectively assist users in comparing and finding content that is relevant and valuable to them, while delineating it from other "noise". As Helberger (2011: 343) explains: "[i]nforming consumers about their choices (in the hope that they will make the right ones) has been repeatedly advanced as a preferable route to the traditional, paternalistic approach in media regulation – which regulates the offering and pre-defines choices".

Labelling is the most obvious and conventional transparency-enhancing tool known from consumer protection policies that can be employed to meet these ends. Helberger (2011) has proposed the so-called "diversity" label to this effect – which marks content as being diverse. Another opportunity will be to simply extend the PSB brand, or the brand of a particular cultural institution or of a certain type of valuable cultural content, to more online spaces. Such a general-purpose label can spare us the demanding task of deciding which content is diverse and in comparison to what.

A similar idea had been explored during the PSB review in the UK in the context of the so-called "Public Service Publisher" (PSP) (Ofcom 2007). Relevantly for our discussion of labelling, the PSP was supposed to function as "a 'facilitation brand', subordinate to other brands in consumers' eyes, but having an important impact in the decision process – providing a potential mark of quality, much like the 'Intel Inside' brand for PCs" (Ofcom 2007: 8). Such labels can not only be visible on the diverse platforms where the content is offered but can also be designed as a discrete tag or a suite of tags that can facilitate search processes.

This labelling can be well linked to the question of trust in the media. As the digital media landscape is profoundly fluid and uncertain, the value attached to media may be changing. Trust may become absolutely critical. On the one hand, this refers to the trustworthiness of *content*, its high quality, independence, accuracy and authenticity (Foster and Broughton 2012: 23). But trust can become critical for making choices not only about content but

[5] Article 13(1) AVMS.

also about the *platform* that provides the content – in the sense of its commitment to privacy, to high ethical standards (Mayer-Schönberger 2011; Hendy 2013), to transparency of terms of use and to overall user friendliness (Lemley 2011).

Beyond informing through labelling, there is a separate question of whether there should be discrete policy initiatives that effectively aim at ensuring diversity in consumption. This involves a deeper type of intervention and is somewhat controversial from the viewpoint of interference with other rights, as earlier noted. Helberger has argued still that there could be important positive effects of such an intervention, which she aptly refers to as "principled consumption" target. Tools aiming to achieve this target entail some sort of guidance for users to the "relevant" and the "quality" content, making sure that they then consume the "right mix" (Helberger 2011: 346). In this form, cultural policy tools take up distinct "asymmetric paternalism" functions (Sunstein 2000; Sunstein and Thaler 2003).

Two critical questions arise in this context – of *awareness* and *serendipity* – i.e. "do people know about the full range of content opportunities available to them online, and how often do they stumble across content which they like but which they did not know existed?" (Ofcom 2008a: para. 3.95).

While the avenues of raising awareness can well be covered by the above described tools of informing and attracting audiences, the question of serendipity – i.e. of introducing viewers to content they would not otherwise look for or challenging users' views and expanding their knowledge "by chance" (Ofcom 2008a), has not been addressed so far. In this context, some scholars have stressed that, "[s]erendipitous encounters might alleviate some concerns about restrictive coping strategies and a tendency in users to hide in their 'information cocoons'", and "promote understanding and open-mindedness, and thereby also advance democratic goals" (Helberger 2011a: 454). The digital space and different ways of analyzing data and aggregating content allow for the random delivery of different types of content, which can be displayed next to the chosen by the viewer content or in dedicated "less searched", "less viewed" and other type of less popular, not mainstream lists. Also, since it appears that there is a great difference in the availability and discoverability of discrete genres of cultural content, it can be apt to make cross-genre linkages, so as to increase the chances of overall more diverse consumption.

However, there should be caution in these random offerings, as they can simply be ignored or can even disrupt the viewer's experience. Research has shown that there must be more to serendipitous encounters than just chance. Schönbach explains that in order to work and incentivize users, surprises must be "embedded in the familiar" (Schönbach 2007; Helberger 2011a). Hoffman et al. (2015: 1363) argue along the same line that we can speak of "diversity experience" only if users "perceive and digest this content according to their motivations, awareness, and capabilities".

Overall, one can argue that in the complex media space of digital media, there is a need for "good aggregators" of content that can counteract some of the negative features of digital communications and ensure more actually

found and consumed public service content (Goodman and Chen 2011; Burri 2015). In the age of "Big Data" (Mayer-Schönberger and Cukier 2013), it can be assumed that designing such smart editors is doable. The question of balancing between the virtue of the intervention and its possible side-effects, which are intrinsic to such paternalistic actions, remains (Helberger 2015).

IV - Conclusion: New cultural policy tools for the media

Despite the far-reaching transformations brought about by digital technologies, there have been few changes in the cultural policy toolboxes of the pre-Internet age. One plausible explanation stems from the existing path dependences (Liebowitz and Margolis 2000; Page 2006) in national policies, which have prevented real innovation so far. Well-organized stakeholders and self-interested politicians, profiting in the short- and mid-term from defending national values, anti-commercialization and anti-globalization, have hindered policy overhauls, as public choice theory would predict (Shughart 2007). Another explanation comes from the complexity of issues involved and the inherent difficulty to pinpoint policy instruments that work, and efficiently and effectively contribute to the fundamental cultural policy goals, such as the sustaining of a vibrant and diverse public sphere.

The incredible possibilities of creating, distributing and accessing content across a range of platforms and devices in the digital environment do, on the one hand, signal for less state intervention. Whilst this may be true, we showed, on the other hand, that the conditions of free speech may often be rendered challenging, user sovereignty may be impaired and diversity may be seriously reduced – with potentially grave consequences for individual freedom, political and cultural discourses. We also showed that the goal of exposure diversity has been insufficiently thematized in policy discussions and many of the presently applied cultural policy instruments may be off the target.

As a relatively young theoretical concept, "exposure diversity" allowed us to explore novel ways of proactive cultural governance and to think of the different degrees of intervention that may satisfy that precarious balance between user autonomy and the public interest objective of diversity. We put forward in particular some proposals for raising the awareness about the availability of public service content, as well as for increasing the level of exposure diversity through serendipity nudges.

It is fair to note that some of the suggested measures have a paternalistic character in that they attempt to bridge the "difference between the public interest and what interests the public" (Sunstein 2000: 501); but such policies have been typical for state intervention in the media and clearly fade in their intensity when compared to measures such as content quotas, that pre-define choices.

Actual exposure to diverse cultural content is neither straightforward nor self-evident. Learning to better understand if and how content reaches the user, what obstacles users encounter, as well as the overall impact of these, is not only an important academic exercise; it is also the route to formulating

better, more effective cultural diversity policies. The UNESCO Convention certainly provides enough room for such policy experimentation.

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